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James Mitchell

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# Understanding Maastricht

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JAMES MITCHELL

- Renaud Dehousse, ed., *Europe After Maastricht. An Ever Closer Union?* (London: Sweet & Maxwell, 1994), 318pp. ISBN 3-406-38342-4
- Andrew Duff, John Pinder and Roy Price, eds, *Maastricht and Beyond. Building the European Union* (London: Routledge, 1994), 324pp. ISBN 0-415-10817-9
- Pierre-Henri Laurent, ed., *The European Community: To Maastricht and Beyond* (London: Sage Publications, 1994), 224pp. ISBN 0-8039-5547-7
- Jacques Leprette, *Une clef pour l'Europe* (Bruxelles: Établissements Émile Bruylant, 1994), 426pp. ISBN 2-8027-0879-1
- Paul Michael Lützeler, ed., *Europe After Maastricht. American and European Perspectives* (Oxford/Providence, RI, Berghahn Books, 1994), 224pp. ISBN 1-57181-020-X
- Béatrice Taulègne, *Le Conseil européen* (Paris: Presses Universitaires de France, 1993), 504pp. ISBN 2-13-044259-5
- Wolfgang C. Müller and Vincent Wright, eds, *The State in Western Europe. Retreat or Redefinition?* (Ilford: Frank Cass), 199pp. ISBN 0-7146-4594-X
- Ernst Wistrich, *The United States of Europe* (London: Routledge, 1993), 176pp. ISBN 0-415-09324-4

## Approaches to the study of European integration

How are we to interpret the Maastricht Treaty on European Union? How significant will it prove to be in the move towards 'ever closer union'? What today does it mean to be a member-state as distinct from a nation-state? These are questions which can only be addressed by inter-disciplinary enquiry. Indeed, more than that is required. Historians, political scientists, economists, international relations scholars and lawyers all have a contribution to make but we must also note the differences within each of these disciplines and the different approaches which may be adopted within each member-state to the European Union and beyond. The books reviewed here offer a wide range of perspectives on Maastricht and the process of European integration but even they only offer a modest contribution to the interpretation of events. Though some do not address Maastricht, strictly speaking, they all contribute in some way to our understanding of the process of European integration at this point in time.

It is impossible to pinpoint a precise date when the process of European integration began, largely because it has been a complex phenomenon and integration is taken to mean different things by different people. Many political science texts offer a quick backwards glance at the interwar period – Coudenhove-Kalergi's *Pan-Europa* movement and the Briand Memorandum – followed by an account of post-war developments focusing mainly on the European Coal and Steel Community and the European Economic Community. Backwards glances to introduce readers to the background of the community usually offer a predictable and whiggish account of the development of European integration. Acknowledgement that European integration has involved a number of different processes, that it has many roots and that there have been many false starts needs wider appreciation.

There have been five inter-governmental conferences (IGCs) establishing or amending European institutions: 1950–1 leading to the Treaty of Paris and the European Coal and Steel Community; 1955–7 resulting in the Treaties of Rome and the European Economic Community and the European Atomic Energy Community; 1985 resulting in the Single European Act; 1990–1, which involved two inter-governmental conferences resulting in the Maastricht Treaty. The literature on Maastricht probably outweighs that on any previous inter-governmental conference and has impinged on the consciousness of Europe's publics to a greater extent. The London *Times* carried nearly 2,000 stories with Maastricht in them and 461 headlines with the Dutch town in them, in 1992. Yet its significance in the process of European integration may turn out to have been slight compared with preceding IGCs. However, we have to be careful. Much of the interest in Maastricht was a late awakening to earlier developments rather than simply an interest in the Maastricht process itself. What stimulated this awakening was the previous IGC which led to the Single European Act and subsequent debates.

There are two reasons why previous IGCs are important in considering Maastricht's significance. First, Maastricht builds on these earlier IGCs and, second, it is useful to consider the five and indeed other summits for comparative purposes, taking account, of course, of the different contexts and issues before each. Perhaps the most important lesson drawn from any study of past IGCs is that it is too early yet to offer anything approaching a definitive interpretation of Maastricht. As accounts of earlier IGCs and other meetings testify, important steps are often made which might at the time appear to be of limited significance. Equally, there have been many false dawns over the years. The *relance* of Europe in the mid-1980s had a significant impact on the study of European integration. A new generation of scholars joined those who had had an intermittent interest in the subject alongside those who had made it their life's work to generate a veritable mountain of literature on European integration. A great deal of the recent work has followed the Commission's line. These were the cheer-leaders of European integration. This body of post-Single European Act literature will be of interest to future historians seeking to understand the Euro-enthusiasm which gripped sections of the establishment. But some of it is important. As Jacques Delors launched his drive towards 1992, the academic community followed. The Europeanisation of the academic

community – in terms of publications, research grants and new appointments – was one of the great successes of the process embarked upon in the late 1980s. The academic community was touched by the Europeanist *Zeitgeist*. But just how large was that European public with which the academic community was in step? Maastricht, or at least the debates leading up to the Treaty's ratification, teaches us that it was much smaller than many had imagined. It may be more accurate to talk of Europe's publics than a European public, the latter implying a coherence of purpose and viewpoint which was palpably absent in many EC member-states.

A number of approaches to the study of European integration are cited in the standard works dating back to the 1950s – functionalist, neo-functionalist, transactionalist, federalist and realist. These approaches have not disappeared nor even been superseded but have been developed and continue to be challenged. A testimony to the intellectual power of Haas's *The Uniting of Europe*<sup>1</sup> is that it provokes debates about recent developments in European integration. It is not always easy to fit some of the new contributions to our understanding of the process into the old categories and many scholars are determined not to be categorized accordingly. But the old battles continue, with new evidence and more sophisticated arguments. However, the distinction between normative and empirical theorising, between prescription and explanation, often remains cloudy.

### Explaining Maastricht in outline

*Maastricht and Beyond*, edited by Andrew Duff, John Pinder and Roy Pryce for the Federal Trust, is an attempt critically to assess the European Union (EU) as brought into being by the Maastricht Treaty. The Treaty may have been the subject of referenda and major political debates throughout the European Union but it is hardly a riveting read. Its complexity, building on an already complex edifice of institutional arrangements, is difficult to describe succinctly and clearly. But the merit of this collection is that it succeeds in explaining the negotiations leading up to agreement, the main provisions, the ratification process and the implications in terms of policy and government. It does require some previous knowledge of European Community (EC) affairs but it is one of the clearest accounts of the background to and provisions of Maastricht available.

The Maastricht Treaty built on the foundations of the existing EC institutions. The architectural analogy is even to be found in the Treaty itself with its three 'pillars'. The first pillar amends the existing treaties, last amended in the Single European Act, and formally names them the European Community (EC). The second pillar is concerned with foreign and security matters. The third pillar covers justice and home affairs, and arrangements for co-operation in both of these areas differ from those matters covered under the first pillar. Taken together, the three pillars constitute the European Union. The nomenclature of European integration institutions over time has been confusing and no doubt the EU and EC distinction

<sup>1</sup> Ernst B. Haas, *The Uniting of Europe* (Stanford, CA: Stanford University Press, 1958).

will be lost in time. But the distinction is significant and reflects a division in the visions of European integration/co-operation which have existed throughout the post-war period. The debate over the extent to which integration should involve the creation of supra-national institutions, autonomous from and superior to member states, or co-operative arrangements of independent states is reflected in the Treaty.

There have been some important institutional changes, though some of Maastricht's novelties are symbolic. The Parliament's role in decision-making is enhanced but not in a radical way. Nonetheless, the slow development of its powers, coming on top of earlier progress, means that we can no longer dismiss it as a toothless body. Much that has changed has formalised already existing practices rather than extending powers. The subsidiarity clause is a term which can be, and has been, used by one and all but which will satisfy none. A term embraced by Margaret Thatcher and Jacques Delors which supposedly helps define the relationship between member-states and the Union can have only limited applicability. Its value was to allow the passage of the Treaty. It allowed the tricky issue of demarcating powers to be evaded. In that sense it was politically important.<sup>2</sup> Similarly the new Committee of the Regions (CoR) is a symbolic gesture acknowledging the concerns of sub-state levels of government that European integration might leave them out in the cold. Exaggerated rhetoric around the idea of a 'Europe of the Regions' was always likely to disappoint advocates of a more decentralised Europe. Whether the CoR will eventually emerge as a significant body as some predict, more in faith than with evidence, will depend on it cutting out an indispensable and important role for itself, but no one has yet outlined how this will happen.

European citizenship has been established under the terms of Maastricht and this is the subject, along with a discussion of justice and home affairs, of an essay in the volume. As Malcolm Anderson *et al.* note, the 'inclusion of citizenship may ultimately prove to be more radical' than the inclusion of the term 'federal' would have been. Common Foreign and Security Policy, which grew out of 'European Political Co-operation' (a confusing term which specifically referred to foreign policy co-operation) is also discussed. The European Union's failure to reach a unified response to the war in the Balkans will long remain an embarrassment. Indeed, the parochial concerns of the EC in the late 1980s, blinkered in its pursuit of the single market to events in eastern and central Europe, testify to the need for more changes. The sober tones of the contribution by Geoffrey Edwards and Simon Nuttall note the difficulties which lie ahead in this important area.

Perhaps the cornerstone of the Maastricht Treaty, and subsequent discussions, is the issue of economic and monetary union. Since the Treaty of Rome, unrealistic deadlines have been set for creation of a true European common market, single market and monetary union. Christopher Johnson argues that this time things are different. Criteria have been set in the Treaty for the move towards monetary union.

<sup>2</sup> See my 'Slogans and Shibboleths: Sovereignty, Subsidiarity and Constitutional Debate', *Scottish Government Yearbook*, 1992 (Edinburgh: Edinburgh University Press, 1992), for a discussion of the uses of these terms in contemporary constitutional debate, especially concerning the European Union and Scotland's constitutional status.

It now looks as if these criteria were too ambitious. Even mighty Germany looks like having difficulty in meeting the requirements and Jacques Delors is reminding people that he had always thought that the demands on member-states might prove unrealistic. The British government's insistence that Parliament should have the ultimate say in whether Britain would join the single currency may well prove the least of the worries of supporters of a single currency. But debate has begun at a level never before experienced on this issue and it seems unlikely that the issue of economic and monetary union will disappear.

Terminology is important in EU debates. Andrew Duff in his essay on the main reforms describes John Major's insistence that the term 'federal' should be omitted and 'ever closer union' kept (dating back to the Treaty of Rome, 1957) as an 'historical curiosity'. It was a political necessity and demonstrates the power of language. Ironically, 'federal' is preferred by supporters of more integration while their opponents prefer 'ever closer union', which, literally, would eventually mean a centralised, unitary state. But many Conservative backbenchers, as Major knew as a former Government whip, would not have voted for the Maastricht Treaty had it included the 'f-word'. One of the weaknesses of the book is that it is written from a federalist standpoint. The impatience of some contributors with those who do not share their vision spoils the book. Roy Price's introduction, for example, offers an apocalyptic conclusion. He argues that the failure of the new Union, implicitly by failing to move towards a federal Europe, would lead to 'German domination of the heartland of Europe, which could very easily trigger a powerful nationalist response within that country and, in reaction, amongst its neighbours'. This is the mirror image offered by Euro-sceptics in Britain who argue that the success of the Union will lead to German dominance. It is surely not too much to ask that debates on the future of Europe are conducted in a sober and reasoned manner. The success or failure of Maastricht will probably be less portentous, calamitous or joyful than many of the protagonists suggest.

Another example of a work offering a broad overview, and with a similar title, is *The European Community: To Maastricht and Beyond*, edited by Pierre-Henri Laurent. An introductory article by Desmond Dinan gives an historical overview of the period 1978–93, which began and ended with the EC in crisis. From Euroclerosis in the late 1970s to the *annus mirabilis* of 1992, and beyond to the Maastricht ratification 'debacle', the EC has undergone dramatic changes. Dinan has written a useful overview of this period in his short essay. The essays on Germany and Britain and the EC by Lily Gardner Feldman and Stephen George respectively stress the domestic pressure of two of the most significant states. Each essay, in its own way, highlights difficulties with the notion of the 'national interest' and the role states should play in a highly interdependent Europe. Both countries have undergone great changes which have affected definitions of the national interest and relations with Europe. The temptation to see Germany as an economic giant and political dwarf and the UK as a political giant and economic dwarf would be crude, as the essays show. What is evident from these essays is just how important domestic considerations and member-state governments remain.

Each of the other essays are solid, reliable if offering fairly familiar arguments and interpretations. The essay by John Zysman and Michael Borrus on the European electronics industry is important as it offers a case-study within the familiar framework of considering changes in Europe in the context of wider, international change. The regionalisation of global trade and investment – focusing on Europe, Japan and America – is discussed with the challenges this poses as well as the opportunities it offers. Martin Hillenbrand is balanced in his assessment of the EC future. The successes of the Single European Market have yet to be fully appreciated and will have long-term implications, while the challenges of the collapse of Communism and external relations will need to be addressed. All in all, this is a worthy collection. Compared with the book edited by Duff *et al.*, it is both more partial and impartial. It is partial in the sense that it does not cohere quite so well and fails to cover the issues which might be expected in a volume on Maastricht. It is impartial in the sense that it does not have the heavy imprint of federalism's cheer leaders.

An alternative approach to the study of European integration is to focus on an institution. Béatrice Taulègne's study of the European Council (of heads of government of member-states) is such a work. The European Council's roots in Gaullist proposals for inter-governmental co-operation, rather than supra-national institutionalism, is discussed and the manner in which an existing arrangement was formally incorporated in 1974. The author lists and discusses European Council meetings. While it does not cover Maastricht, the themes discussed in earlier meetings, as Talègne states, are similar. The book is packed full of information and will serve as handy reference, as well as offering insights into this very important and neglected institution.

### Personal accounts and manifestoes

Personal accounts of events in the process of European integration have an obvious appeal. They are also, inevitably, partial. Monnet's *Memoirs*<sup>3</sup> are as much a manifesto as an account of his life's work. Monnet was careful not to cause offence or to damage the cause to which he was so intimately committed and this was reflected in his book. François Duchêne's excellent biography<sup>4</sup> provides evidence for this and offers a fuller and, as we would expect, more impartial account of Monnet's life. This is not to say that personal accounts cannot illuminate the subject of European integration. Jacques Leprette's *Une clef pour l'Europe* is an interesting first-hand account of what happened. The chapters are short but grand and illuminating rather than superficial. Having been involved in the creation of the Council of Europe, Leprette had a career which stretched over the course of the post-war period.

<sup>3</sup> Jean Monnet, *Memoirs* (London: Collins, 1978).

<sup>4</sup> François Duchêne, *Jean Monnet: The First Statesman of Interdependence* (London: W. W. Norton & Co, 1994).



Possibly most interesting, other than the obvious insights into French attitudes and those of De Gaulle in particular, is what he has to say about Britain.

Anyone assuming that Margaret Thatcher's attitude was aberrant should note the comparison drawn between Thatcher and Hugh Dalton, a senior member of Attlee's government. In 1948, Leprette was secretary to the 'Committee for the study of European Unity' under Edouard Herriot. The Labour delegation, led by Dalton, argued for a European Council of Ministers which would meet periodically to discuss matters of common concern apart from defence (to be left to the North Atlantic Treaty Organisation which was then being set up) and economic matters (to be left to the Organisation for European Economic Co-operation). This limited vision of European co-operation contrasted with that of the Franco-Belgian proposal, which included establishing a European parliamentary assembly. The stalemate caused by the UK's attitude led to talk among the others of going ahead without the UK.

Of course, the context had changed by the time Mrs Thatcher had come on the scene, but from Leprette's angle it is little wonder that a comparison should be drawn. One is also reminded that French attitudes to European unity have their roots in interwar times. In 1925, Herriot had argued for European unity in the French national assembly and in 1930 he wrote a book entitled *The United States of Europe* backing Briand's famous declaration. There were some figures in the British establishment in interwar Europe who supported integration but none of the stature or significance of men such as Herriot or Briand. If nothing else, French interpretations of the development of European integration remind us that the roots of the movement differ from state to state. If we want to understand the current situation there is much to be said for analysing these different roots of the movement for European integration.

Leprette recalls five crises in the European Community: the Common Agricultural Policy; political union and the Fouchet Plan; Britain's relations with Europe; the 'empty chair' crisis when France withdrew from the Council of Ministers following the clash in visions of Europe of Commission president Walter Hallstein and General de Gaulle; and Maastricht. The key difference between the earlier crises and Maastricht was that the former involved differences between governments whereas Maastricht stirred public opinion, notably French public opinion. Mitterrand's assumption that a referendum on Maastricht would serve to legitimise and popularise the move towards 'ever closer union' nearly backfired spectacularly. But despite these crises, and perhaps because of them, not least this latest, the Community survives. Its trajectory could never have been predicted in 1958, when the Treaty of Rome came into effect, but, as noted by Leprette, the Treaty's great merit lay in allowing a gradual evolution, one which made possible both a widening of membership and a deepening of union.

While Leprette was an active participant on the inside in many of these debates, Ernest Wistrich's *The United States of Europe* is the work of an activist in the cause of the European Movement. Whatever else is said about Wistrich and others like him, nobody could question his single-minded, irrepressible pursuit of European

integration. The book offers a highly partial overview of European integration from a federalist perspective. There is little pretence that it is anything other than a manifesto which makes the case for federalism. The author, a leading figure in the European Movement, founded in 1948 following the Hague Congress, received a CBE under Ted Heath's government in 1973. One imagines that it will be a long time before someone receives a similar award from a British government for 'services to the European cause', as the cover of one of his previous books informed us. The book's value lies not so much in what this past director of the European Movement has to say as in its distillation and articulation of views to be found within the European Commission. The Commission has many voices and, as would be expected in a complex organisation, they are not always in harmony. What is omitted from Wistrich's book is, therefore, interesting. There is no attempt, for example, to confront the tensions between the free market impulses of competition policy and the interventionism of structural policies. EC policies are largely presented as being in Europe's interests, as if a single common European interest self-evidently exists. Contrary to the blurb, the book should be avoided by students wishing to 'understand the existing EC and its future role in the world'. It will be of interest to those seeking a manifesto of the European Movement.

### **The changing role of the state**

One way of making sense of Maastricht is to see it in terms more familiar to political scientists and focus on the role of the state. The very term 'state' is ambiguous. It has been taken to mean the territorial entity in which sovereignty was vested. In that sense European integration and the Maastricht Treaty have challenged the state. But the term is also used in another sense. The state was felt to be in retreat in the sense that the public realm, that which was performed by the state, was threatened or undermined. This is the functional sense of the term 'the state'. Notions that the state had become 'ungovernable' became fashionable in the late 1970s following the international economic crisis of 1974. The post-war period had seen a growth in state expenditures and an expansion in government activities. Pressure existed thereafter to reduce the role of the state. These different meanings of the state in retreat are related, though in complex ways. The inability of the traditional nation-state to respond to popular demands for goods and services and services has led to people turning to an alternative – European – entity. Suspicion of Europe and the confused prescriptions offered by the EC hardly convince Europe's publics that the European level is likely to offer a workable alternative. The nation-state may have failed but where is the evidence that Europe will work any better?

Though the state has been in retreat, the situation is again complex, as essays in the volume edited by Wolfgang Müller and Vincent Wright argue. In important respects, there has been an increase in state activity or at least a change in the nature of state intervention. The editors introduce the volume by noting a range of pressures which 'squeezed West European states into somewhat convergent policy ambitions which aimed at reducing the role of the state.' These included ideological

pressures, the abandonment of Keynesian macro-economic interventionism to a market-driven approach; political pressures from parties which adopted market-orientated approaches, notably the British Conservatives under Margaret Thatcher; the changing public perceptions about the role of the state with the public showing an increased concern about costs of services; the pressure of internationalisation of financial and industrial circuits particularly associated with the financial services revolution which had the effect of blurring state boundaries; technological pressures which, again, have had the effect of blurring state boundaries; and the pressure of Europeanisation. Many of these pressures are inter-connected. The ideological, political and changing public attitudes might be seen as springing from the same source. However, Herbert Döring's contribution warns us not to take these changes at face value. Public perceptions of the 'proper role' of the state there has not been quite as uniform as might at first be imagined, nor was the abandonment of support for state intervention as great as is sometimes claimed. Differences between states still exist in public attitudes on the role of state. There may have been a European trend in attitudes regarding the role of state but European uniformity in public attitudes is a long way away.

Giandomenico Majone's essay on the rise of the regulatory state in Europe is of considerable importance in this volume. Many of the changes associated with the retreat of the state have given rise to a new or modified form of intervention. Regulation has grown both within member-states and at European Community level. 'Because regulation is more narrowly targeted, and because many of the traditional goals of nationalisation have become obsolete or can be pursued more efficiently by other means, privatisations tend to strengthen, rather than weaken, the regulatory capacity of the state.' The rise of the regulatory state refers not to the traditional nation-state but the state in the second sense discussed above. The 'state tradition', if it can be so called, which has developed in the European Community has included a substantial regulatory element. A number of explanations are put forward for this phenomenon. The rigidity of the European Community budget has necessitated an alternative, less directly interventionist approach to be found, the Commission's desire to increase its influence, and the preference of multinationals to deal with one set of rules rather than a variety of different state rules go some way towards explaining matters. But Majone goes further in his attempt to explain why supra-national, as distinct from inter-governmental regulatory bodies have come into being (why have states been willing to surrender their powers in this way?).

Majone argued that the Community is more likely to enforce sanctions against an offending company than a member-state. The notion that the process of regulation involves regulators commanding and the regulated obeying is simplistic. It is as much about bargaining as it is about law enforcement. States will be reluctant to come down heavily on firms for fear of frightening away jobs and tax revenues. The EC, on the other hand, has more to gain by being tough. Inter-governmental agreements have less credibility than do supra-national authorities. In essence, the internationalisation of financial and industrial circuits combined with technological pressures has reduced the autonomy of the state, in the territorial sense, and supra-nationalism

(ie the European Union) has facilitated the reassertion of the state in the functional sense.

The rise of European regulations gives rise to problems which are addressed in a number of works. Political accountability is a major issue of importance. American experience of legislative and executive oversight, strict procedural requirements, public participation and judicial review is contrasted with that in Europe which is seen to be 'highly discretionary, suffering from weak accountability to Parliament, weak judicial review, absence of procedural safeguards, and insufficient public participation'. This is the case at nation-state level but more so at the European level. However, an important argument made by Majone, which deserves greater attention by those who cry 'democratic deficit' whenever the subject of the European Union is discussed, is that, while unelected officials and courts give rise to problems in terms of political accountability, they are more likely to be less subjective, more consistent and less short term in their decisions. Reforms are required, according to Majone, which would make for even greater consistency in the application of regulations through 'something like an Administrative Procedures Act' for the European Union. For many people, accountability will still not have been achieved but Majone's contribution is one of the most significant in the volumes reviewed, partly because of the insights it offers into the changing nature of the state (in both senses) and the contribution it makes to debates on the future of the European Union.

### **European Union: US and European perspectives**

*Europe after Maastricht: American and European Perspectives*, edited by Paul Michael Lützeler, offers another set of interpretations of the changes which have been occurring in Europe. The contributors and focus of this volume are less sharp than the previous volume reviewed. The academic-policy communities links have long been stronger in the United States than in Europe and the contributions from both, plus those from politicians and journalists, make for a diverse publication. Some articles offer grand overviews of the geopolitical influences which were important backdrops to the process of integration. Theo Sommer's long experience as a prominent figure in the world of newspapers is evident in his overview of the relationship between the United States and Europe. He begins by quoting Alexis de Tocqueville and ends by quoting Victor Hugo, and makes the case for a new basis to the Atlantic relationship without the 'dire necessities of the Cold War that force us together' but a new association of free nations. Many of the essays echo Sommer's piece in style if not in content. The global role of the European Union is discussed in the volume and global economic forces are given prominence in explaining European integration.

Europeanisation is also evident in the writings. The socialisation of European élites is the subject of Alberta Sbragia's chapter. The different interpretations of the European Community often found in each of the member-states – the British see the Community massively influenced by 'continental' traditions and systems of government while the Italians see the Community dominated by the three big powers and 'northern' influences – are set against the growing Europeanisation of

political élites in each member-state. The need for member-state governments actively to socialise their civil servants in order to maximise on opportunities is noted. The Spanish Government's awareness of this need is reflected in its having the largest delegation of permanent representatives in the Community. But whether deliberately fostered by governments or as part of the process which has become almost a by-product of integration, Sbragia argues that 'sovereign' nation-states that created the Community or joined it have gradually become transformed into 'member-states'. Maastricht's contribution will be to continue and deepen this ongoing process. The controversies surrounding Maastricht ensured that a wider public became aware of European integration. In this sense the Community became a 'part of democratic politics'. The debate in the future is unlikely to be conducted by a small élite detached from public opinion. The challenge for supporters of further integration, and for the existing levels of integration for that matter, will be to socialise a wider public.

One aspect of the more public dimension which Sbragia notes is picked up by Joyce Mushaben. A majority of women voted against Maastricht in the first Danish referendum, whereas a majority of men voted in its favour. Mushaben's chapter, 'The Other "Democratic Deficit": Women in the European Community before and after Maastricht' notes the different experience of women in the institutions of the European Union. The Parliament has the highest proportion of women members, a quarter, which compared well not only with other EC institutions but also with member-state parliaments. The Community has played an important part in policy-terms in the pursuit of equality. Article 119 of the Treaty of Rome, 1957, obliged member-states to uphold the 'principle of equal remuneration for the same work as between male and female workers'. The programmes it has instituted, not only those specifically designed to tackle gender equality, notably including the single market, have had an impact on the position on women. Her challenging chapter remind us that difficult economic times are just those when the 'Sunday sermons' are tested. Will the decision-makers in the EU, and member-states, too (she acknowledges that this is a problem that needs to be tackled at all levels), live up to the promise of equality? The EU needs democratic legitimacy. Half its population would probably be more inclined to lend it this if 'citizenship' had more substance. The claim that the European Parliament has proved to have been the greatest champion of gender equality is, at least, questionable. The role of the Court needs to be recognised. While the Court faces difficulties, as noted in Wexler's chapter, its role has often been understated. This will be discussed below.

Discussions of Maastricht and European integration tend to focus on legal, political and economic issues. Some of the contributions in this volume remind us that the politics of identity can be understood in less prosaic terms. The cultural impediments to integration are highlighted in Robert Picht's chapter and he notes that traditional identities have been undermined by unemployment and migration. A new generation of 'Europeans' may be emerging through the various schemes, notably focusing on educational institutions, but these affect tiny numbers. One lesson which must be drawn from Maastricht is that 'ever closer union' or federalism

will only be achieved through a 'Europe of Peoples' rather than a 'Europe of Elites'.

None the less, the contribution of élites is important. Udo Kulturmann argues that European architecture is a 'unique symbol of contemporary transformations typical of our time and possibly of the near future'. His argument that architecture, like European politics, does not need to be homogeneous and uniform is familiar to students of European politics. Kulturmann argues for architectural subsidiarity. Lützeler's own article on writers on European identity notes the role of writers in creating what Benedict Anderson called an 'imagined community' of Europe. Significantly, though this is not spelled out by Lützeler, Anderson was referring to nationalism. Ironically, many of the writers discussed in the essay were motivated by opposition to nationalism – the nationalism of the state. One of the curiosities of debates on European integration is the lack of serious consideration of it as a form of nationalism. Lützeler's essay provides ample examples which deserve further exploration.

### Complex institutions, developing policies and ideals

By far the most impressive book reviewed here is *Europe After Maastricht: An Ever Closer Union?* edited by Renaud Dehousse. It is not a book for beginners. It is the work of scholars based in the European University Institute (EUI) in Florence, and it is testimony to the great value of that institution that, despite being sponsored by the EC, it produces some of the most critical, best informed and intellectually stimulating work on European integration. Of course, scholars in the institute come from all over the world and the contribution of American academics to the study of European integration has to be recognised as of paramount importance. There is no weak chapter in this book: some may be stronger and more stimulating but none is without great merit. The first part discusses the institutional framework and Dehousse notes that the three pillars of Maastricht are not 'watertight compartments'. Maastricht involved a compromise between two different models: 'the integrated community model and the more loosely structured world of intergovernmental cooperation'. This is not new and goes a long way towards explaining the complexities and compromises involved.

Emile Noël, former general secretary of the European Commission and former principle of the EUI, has written a short essay questioning the extent to which a new institutional balance has been brought about by Maastricht. Writing with the vast knowledge and experience of an insider, Noël's piece notes that the context in which Maastricht was agreed – the collapse of the Soviet Union – has altered perceptions. In other circumstances Maastricht might have been 'hailed as a major advance on the road to union or the European federation', but by deliberately ignoring the problems posed by the collapse of the Soviet Union, new applicants and establishing democracy in Eastern and central Europe an alternative judgement might be made.

The second part of the book considers the Europeanisation of economic policy, with essays by Christian Joerges and Francis Snyder. Joerges's comment that it is

'almost impossible to overestimate the complexities of the integration process' is an early warning. The essay takes the form of a series of sharp observations on the nature of integration, the tension between national sovereignty and interdependence, and the often subtle manner in which member-states' economic policies are affected. The extent to which legal systems have been integrated is discussed, but all of this is done without exaggerating the extent of integration.

The two models which Dehousse referred to is a theme in Francis Snyder's essay. Snyder puts forward three propositions which he argues convincingly. First, EMU can be seen as an attempt to reconcile supra-nationalism and inter-governmentalism, rather than choose between them. Second, EMU consists of two distinct but inter-related parts: 'economic policy-making (economic union), which tends towards intergovernmentalism, and monetary policy-making (monetary union), which tends towards supranationalism'. Third, each part 'in itself is a complex mixture of supranational and intergovernmental elements'. In his conclusion he achieves something rare indeed. He manages to express highly sophisticated institutional and regulatory politics in tabular form without doing much damage to the subtleties of his own account. Snyder conceives of EMU as a metaphor for the new European Union. EMU, he states, suggests a 'new European community of almost bewildering variety' (pp. 98–9):

The emerging institutional configuration involves new types of rules and forms of regulation. EMU represents a logical extension of existing trends in the Community system toward a complex admixture of rules, including guidelines and other forms of soft law, more or less binding expert opinions, and the production of hard law by new institutions. It also stands for the development of new hybrid forms of regulation, involving complex networks of relations between Community institutions and between the Community and Member States.

Snyder has elsewhere defined 'soft law' as 'rules of conduct which (in principle) have no legally binding force but which nevertheless have practical effects'.<sup>5</sup> Such terms may not be familiar to many readers but ought to be.

The third part of the book consists of three chapters. The first is on the limits of the growth of EU competences by Dehousse. Article 3b of Maastricht states (and it is one of this book's merits that the Treaty is published in an appendix):

In areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.

The regulation of the non-exclusive powers of the Community is the primary aim of this article which has been the source of much debate. Dehousse argues that the *concept* is 'ill-adapted to the problems it is meant to solve'. It starts from an assumption that a distinction can be made as to which functions of the modern state

<sup>5</sup> Francis Snyder, 'The Effectiveness of European Community Law: Institutions, Processes, Tools and Techniques', *Modern Law Review* Vol. 56, 19–54, quoted in Laura Cram, 'Rhetoric, Soft Law and Symbolic Politics in the EU Social Policy Process', paper presented to the Annual Meeting of the American Political Science Association, Chicago, 31 Aug.–4 Sept. 1995.

should be performed at different levels. Tackling how to manage interdependence would be a more fruitful approach, but politically the subsidiarity clause was necessary. As Dehousse remarks, the subsidiarity debate is 'symptomatic of a mood which has gained strength in response to the expanding influence of the Community'. However limited subsidiarity is as a concept for tackling issues of competence, it will inevitably be a term heard well into the future. Its importance lies less in its legal or institutional applicability and more in its symbolic function.

In 1974, Raymond Aron wrote, 'There are no such animals as "European citizens"'. There are only French, German, or Italian citizens.<sup>6</sup> 'Citizenship' was one of the 'hurrah words' in politics in the late 1980s, so it was not surprising that it should be given a place in the Maastricht Treaty. But that apart, its importance lies in traditional notions of citizenship's relationship with the nation-state. As Hans Ulrich Jessurun d'Oliveira argues, many facets of citizenship have long been associated with the EC though these have 'crystallized around freedom of movement' rather than *political* rights. The rudimentary form of 'European citizenship' none the less challenges those, such as Aron in 1974, who view it as inextricably linked with the nation-state. Once more, this debate offers a metaphor of the EU as a whole. Social policy is discussed in Brian Bercusson's essay. It ties in well with the previous essay. Social rights were the last of the three sets of rights identified fifty years ago (by the sociologist T. H. Marshall (political and economic rights being the others) as constituting citizenship.<sup>7</sup> The development of European competence in this area can be seen as challenging Aron's assumptions. Roger Morgan's essay on the Common Foreign and Security Policy (CFSP) notes that, prior to Maastricht's ratification, the EU was gearing itself up to develop a dynamic and communitarian foreign policy. However, he notes that the underlying principle remains inter-governmentalism in this area and common policies all too rare. He notes that foreign policy is largely reactive and that success tends to come when the Community is able to be proactive.

The final essay in the volume is by Joseph Weiler. It is, as he states, in the genre of a 'Think Piece'. It is a masterpiece. He dares to suggest that the Europe of Maastricht is 'devoid of ideals', that Europe has become 'just politics as usual'. His discussion is a welcome reminder that European integration has its roots in ideals as well as economics. Coudenhove-Kalergi, Briand and Herriot are brought back to life. Other essays reviewed here refer to these early Europeans but none gives them the contemporary relevance in such a provocative way. Maastricht is seen as a 'creature of its time'. It is a challenging essay not least for those who are today discussing the future of European integration and the place within the grand project of Eastern and central Europe. The peace, prosperity and supra-nationalism which, Weiler argues, 'animated the Community in its foundational period' (though he is careful not to suggest that the Community lived these ideals at that time) would guide the European Union's leaders to conclusions they might find unpalatable.

<sup>6</sup> Raymond Aron, 'Is Multinational Citizenship Possible?', *Social Research*, Vol. 41, no. 4, 638–56.

<sup>7</sup> T. H. Marshall, *Citizenship and Social Class* (Cambridge: Cambridge University Press, 1950).



Should the queue of applicants from the East and centre of Europe be rejected on the grounds that they are not sufficiently economically developed? Many of the EU's supporters, including the authors of some works reviewed here, who advocate European federalism or 'ever closer Union', would do well to read the essay and remember why they once gave support to the process of integration. More than that, they may find that their support for European integration would be more popular if idealism informed their advocacy. The difficulties encountered at Maastricht and in subsequent debates on its ratification and which come through strongly in the many works on Maastricht is summed up well in Joseph Weiler's essay. The answer to many of these problems may also be found there, too.